

Remarks

Claims 1-7 are pending in the application. Claims 1-7 are rejected. Claims 1 and 6 are amended only to clarify the nature of the profile as claimed and described in the specification, and not to overcome the rejections based on the prior art. No new matter is added. The rejections are respectfully traversed.

The present invention is unique in that the buyer (user) has no direct contact with the seller (merchant.) Instead, the user/buyer tells a financial institution (bank) what to buy, how to pay for it, and where to ship it. The bank places the order with the seller, indirectly pays for the order, and instructs the seller where to ship the order - all without revealing who the buyer is to the seller. The seller/vendor/merchant never knows who placed the order and how it was paid for. The seller only interacts with the financial institution.

Independent claims 1, 6 and 7 are rejected under 35 U.S.C 103(a) as being unpatentable over Hertz (WO 00/65517) in view of Mandler, et al. (U.S. Patent 5,732,400 –“Mandler”).

Hertz describes a commercial transaction method whereby a buyer provides account information to a seller in order to pay for the desired goods or services, and the seller then confirms the account information with an account manager, e.g., a bank, see Hertz, page 21-27. This is not what is

claimed. This is exactly the type of system that is **not** desired by the user of the present invention. The user of the present invention determines goods and services that the user sees presented on the personal access link and not the merchant systems, and the user only interacts with the financial institution, **never** directly with the vendor.

Mandler fails to cure the defect of Hertz. Mandler describes a system for enabling on-line transactions between buyers and sellers having no previous relationship. Buyers apply to an on-line clearinghouse for credit approval and risk classification. The risk classification assigned to the buyer limits the buyers ability to transact with sellers. See. Col. 6, line 54- col. 7, line 3. Mandler has a direct buyer/seller interaction, see, col. 7, lines 55-60, see also, col. 8, lines 20-25, and Figures. Again, this is exactly the type of system that is **not** desired by the user of the present invention.

In both cited references the transaction flow is basically:

User → Vendor → Financial

The claimed transaction flow is:

User → Financial → Vendor

The Examiner has failed to show where these references, either alone or in combination describe, show, or suggest the claimed flow, where the user only interacts with the financial institution.

Further, the risk classification described by Mandler is certainly *not* a profile determined by the user as claimed. Mandler's risk classification is generated by the financial clearing house. What is claimed is specifying a commercial transaction for a user in a personal access module connected to the network, the personal access module operated only by the user and then receiving the commercial transaction in a personal access link configured to operate according to a profile determined by the user. This all happens *prior to* forwarding the commercial transaction to a financial institution system depending on the profile determined by the user and forwarding the commercial transaction from the financial institution system to a selected merchant system depending on the profile determined by the user and the commercial transaction.

Therefore, Mandler cannot teach what is claimed. The clearinghouse described by Mandler cannot determine a risk classification of a buyer prior to any contact with the buyer. Also, the profile determined by the user as claimed is not generated by the financial institution as in Mandler.

In view of the foregoing, the applicant respectfully requests the Examiner reconsider and withdraw his rejection of independent claims 1, 6 and 7 as well as their dependencies.

The Examiner has not addressed claim 2, and no reasons are given for rejecting claim 2, therefore Applicant presently understands claim 2 to be allowable.

It is further respectfully submitted that the applied combination of art also lacks numerous features recited in the pending depending claims. For example, claim 3 requires the personal access module identifies the user and a method of payment. Nowhere does Hertz describe the PAM identifying the user and method of payment as claimed. Hertz, at page 2, lines 3-9 and page 4, lines 15-24 describes the account owner providing identification information to an account manager from a user terminal. This is not the personal access module identifies the user and a method of payment as claimed.

Claim 4 requires that the personal access link is a web site operated by the financial institution system. However, the personal access link as claimed receives commercial transactions and is configured to operate according to a profile determined by the user. Hertz describes none of what is claimed here. In fact, Hertz, at page 4, lines 15-24 teaches that “transactions can be consummated through Internet sites of sellers.” This, again, is exactly the type of system that is **not** desired by the user of the present invention.

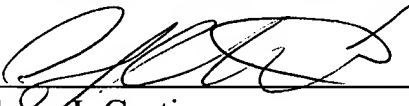
Claim 5 requires the financial institution system is coupled to a plurality of merchant systems. As discussed with respect to claim 4, Hertz describes the user consummates transactions directly with sellers. The account manages described in Hertz is not coupled to a plurality of merchant systems as claimed. The claimed coupling is of a form whereby the commercial transaction forwarded to the financial institution system depending on the

profile determined by the user can be forwarded from the financial institution system to a selected merchant system depending on the profile determined by the user and the commercial transaction. Nowhere does Hertz describe the financial institution system is coupled to a plurality of merchant systems as claimed.

All rejections have been complied with, and applicant respectfully submits that the application is now in condition for allowance. The applicant urges the Examiner to contact the applicant's attorney at phone and address indicated below if assistance is required to move the present application to allowance. Please charge any shortages in fees in connection with this filing to Deposit Account 50-0749.

Respectfully submitted,
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